

Message

**From:** Lazos, Pamela [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=15D4F11C6327474BB424A24CBD406E93-PLAZOS]  
**Sent:** 5/11/2021 8:39:02 PM  
**To:** Smith, William (Region 3) [smith.william@epa.gov]  
**CC:** Williams, Tanya [Williams.Tanya@epa.gov]  
**Subject:** RE: Pam's WAR

## Ex. 5 Deliberative Process (DP)

**From:** Smith, William (Region 3) <smith.william@epa.gov>  
**Sent:** Tuesday, May 11, 2021 4:13 PM  
**To:** Lazos, Pamela <Lazos.Pamela@epa.gov>  
**Cc:** Williams, Tanya <Williams.Tanya@epa.gov>  
**Subject:** Pam's WAR

Pam-

I tweaked your item a bit. Could you review and retweak if need be, noting esp. the highlighted comments. Please return to Tanya.

**Lower Susquehanna Riverkeeper Association Seeks to Intervene in Federal Court Case Citing CWA Sewage Violations in Harrisburg, PA Area. [U.S., et. al., v. Capitol Region Water, et al., Civil Action No. 1:15-cv-00291-CCC].** On May 6, 2021, the Lower Susquehanna Riverkeeper Association (LSRA) filed a Motion to Intervene in the federal district court in a CWA case brought by the U.S. and PaDEP (collectively, Plaintiffs) against Capitol Region Water (CRW) and the City of Harrisburg (collectively, Defendants). LSRA alleges that Defendants have failed to implement an approvable Long Term Control Plan under the Partial Consent Decree (PCD), or to stem the flow of combined sewage into the Susquehanna River during wet weather events. On April 9, 2021, LSRA sent the parties a request to concur in its draft intervention motion.

## Ex. 5 Deliberative Process (DP)

Plaintiffs

requested that LSRA withhold its comments until the Amended PCD had been lodged and a public comment period commenced. LSRA responded that it preferred to be a party of interest during future Amended PCD negotiations and did not want to wait until the public comment period, maintaining that little progress has been made since the PCD was entered to reduce the sewage going into the Susquehanna River. Both DOJ, on behalf of EPA, and PADEP told LSRA it would not concur in the filing of its LSRA's Motion to Intervene. Since the PCD was entered, CRW has spent over \$300 million to improve the long-neglected wastewater treatment and collection system, inherited [? *That sounds like the City is dead. Can we say "acquired" or transferred?*] from the City. An EJ Assessment revealed that over 26% of the residents of the City of Harrisburg live below the poverty level. The state is a co-plaintiff in this matter. **Primary Contact: Pam Lazos, (215) 814-2658, Additional Contact: Steve Maslowski, (215) 814-2371**

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